

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JENO MICHAEL PAULUCCI and
PATRICK LEWIS MCKINNEY,

Defendants.

4:22-CR-3100

PRELIMINARY ORDER OF
FORFEITURE

This matter is before the Court on the plaintiff's Motion for Issuance of Preliminary Order of Forfeiture ([filing 95](#)).

Defendants Jeno Michael Paulucci and Patrick Lewis McKinney were charged by separate informations with one count each of possessing methamphetamine with intent to distribute it, in violation of [21 U.S.C. § 841](#). [Filing 69](#); [filing 85](#). The informations contained forfeiture allegations seeking the forfeiture, pursuant to [21 U.S.C. § 853](#), of a 2018 Cadillac Escalade Utility 4D Luxury, VIN #1GYS4BKJ5JR365943, on the basis that it was used to facilitate the commission of the offenses and was derived from proceeds obtained, directly or indirectly, as a result of committing the offenses. [Filing 69](#); [filing 85](#). Paulucci and McKinney have pled guilty to the crimes alleged and admitted the forfeiture allegations. [Filing 76 at 1](#); [filing 82 at 24-25](#); [filing 91 at 1](#); [filing 96 at 22](#). By virtue of pleading guilty to the charges and admitting the forfeiture allegations, Paulucci and McKinney have forfeited their interest in the property.

Therefore, the plaintiff should be entitled to possession of the property pursuant to [21 U.S.C. § 853](#), and the plaintiff's motion for preliminary order of forfeiture is granted.

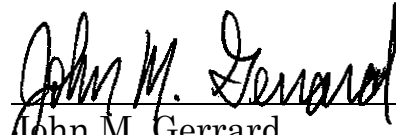
IT IS ORDERED:

1. The plaintiff's Motion for Issuance of Preliminary Order of Forfeiture ([filing 95](#)) is granted.
2. Based upon the defendants' guilty pleas and admission of the forfeiture allegations of the informations, the plaintiff is authorized to seize the 2018 Cadillac Escalade Utility 4D Luxury, VIN #1GYS4BKJ5JR36594.
3. The defendants' interest in the vehicle is forfeited to the plaintiff for disposition in accordance with law, subject to the provisions of [21 U.S.C. § 853\(n\)\(1\)](#).
4. The vehicle is to be held by the plaintiff in its secure custody and control.
5. Pursuant to [21 U.S.C. § 853\(n\)\(1\)](#), the plaintiff shall publish for at least thirty consecutive days on an official Internet government forfeiture site (www.forfeiture.gov) notice of this order, notice of publication evidencing the plaintiff's intent to dispose of the property in such manner as the Attorney General may direct, and notice that any person, other than the defendants, having or claiming a legal interest in the property must file a petition with the court within thirty days of the final publication of notice or of receipt of actual notice, whichever is earlier.

6. Such published notice shall state that the petition referred to in paragraph 5, above, shall be for a hearing to adjudicate the validity of the petitioner's alleged interest in the property, shall be signed by the petitioner under penalty of perjury, and shall set forth the nature and extent of the petitioner's right, title or interest in the property and any additional facts supporting the petitioner's claim and relief sought.
7. The plaintiff may also, to the extent practicable, provide direct written notice to any person known to have alleged an interest in the property as a substitute for published notice as to those persons so notified.
8. Upon adjudication of all third-party interests, this Court will enter a final order of forfeiture pursuant to [21 U.S.C. § 853\(n\)](#), in which all interests will be addressed.

Dated this 20th day of June, 2023.

BY THE COURT:



John M. Gerrard
Senior United States District Judge